

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
JONATHAN X. FLAGG and :  
: .  
JACQUELINE ALVAREZ, : .  
: .  
On behalf of themselves and on : .  
behalf of all others similarly situated, : .  
: 07 Civ. 7392 (PKC) (HBP)  
Plaintiffs, : .  
: .  
- against - : .  
: .  
SKADDEN, ARPS, SLATE, MEAGHER : .  
& FLOM PENSION PLAN, : .  
: .  
Defendant. : .  
-----x

**DECLARATION OF JACQUELINE ALVAREZ**

I, Jacqueline Alvarez, declare under penalty of perjury pursuant to 18 U.S.C. § 1746:

1. I am one of the two Plaintiffs in this lawsuit. I worked for the Skadden Arps law firm from 1988 to 1997 and participated in the firm's pension plan. I received money from the plan in 1998.

2. Only in 2007 did I learn that the plan didn't pay me what it really owed me back in 1998. I don't believe that's any fault of my own.

3. While at Skadden, I worked both as an accounts payable coordinator and an expense coordinator. I believe I was well-regarded by the firm and left on good terms. I went, on my own, to another law firm when I learned of another opportunity.

4. I consider myself smart and fairly well-educated. I obtained an A.S.S. degree from LaGuardia Community College in 1989 and by 1998 had taken some course

5. I don't consider my gullible or overly trusting but I didn't think I needed to independently verify that Skadden's pension plan was structured and run legally. I paid attention to whatever I was told and it seemed to make sense. I never saw or heard anything that gave me what I thought was any reason to question how the firm was doing things pension-wise.

6. When I received plan statements or other information I paid attention – it was my money or pension, after all. The same is true of course when I received my lump sum in 1998.

7. Had the firm said things to me like I understand from counsel the firm may have been required to say, I certainly would have asked questions or sought help if what I was hearing or reading didn't seem to add up.

8. I'm not saying I understand even today exactly how the plan unlawfully calculated my benefit – I think I understand it enough however. From what I understand Skadden was trying to save money by cutting corners or not playing by the rules.

9. But I don't think it's fair from what I'm reading and seeing now that the firm can say I sat on my hands, and the clock has run out on me to complain when they didn't play it straight to begin with.

I, Jacqueline Alvarez, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "Jacqueline Alvarez", is written over a horizontal line.